

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Hon. Robert J. Jonker

v.

Case No. 1:17-cr-0007

ADAM JOSE TORREZ,

Defendant.

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ORDER OF DETENTION

This matter is before the Court on the government's motion for pretrial detention. Defendant has been charged in a three-count Indictment. Count 1 charges him with being a felon in possession of firearms, in violation of 18 U.S.C. § 922(g)(1); Counts 2 charges him with possession with intent to distribute cocaine, in violation 21 U.S.C. §§ 841(a)(1) and (b)(1)(C); and Count 3 charges him with possession of firearms in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c)(1)(A)(i). Given the nature of the charges, there is a statutory rebuttable presumption in favor of detention.

The government sought defendant's detention on the bases that he is a danger to the community, 18 U.S.C. § 1342(f)(1), and that he poses a serious risk of flight, 18 U.S.C. § 3142(f)(2)(A). The court conducted a hearing yesterday at which defendant was represented by counsel.

Having considered the information presented at the hearing, the parties' oral submissions, and the information in the Pretrial Services Report, and for the reasons stated on the record, the Court finds that defendant has not rebutted the presumption of detention regarding risk of flight or danger to the community. The Court also finds, as explained on the record, that the government has sustained its burden of proving, by preponderant evidence, that defendant poses a significant risk of

flight and, by clear and convincing evidence, that he poses a danger to the community. Further, the Court finds that there is no condition or combination of conditions of release will ensure the safety of the community or the appearance of defendant. Accordingly,

IT IS ORDERED that defendant is committed to the custody of the Attorney General pending further order of this Court.

DONE AND ORDERED this 15th day of February, 2017.

/s/ Phillip J. Green
PHILLIP J. GREEN
United States Magistrate Judge